IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 4997 of 1997

For Approval and Signature:

HONOURABLE MR. JUSTICE B.J.SHETHNA

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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P S SISODIA & 4 - Petitioner(s)

Versus

B K SINHA OR HIS SUCCESSOR IN OFFICE & 1 - Respondent(s)

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Appearance :

M/S.VYAS ASSOCIATES for Petitioner(s) : 1 - 5.
MR SIRAJ GORI, AGP for Respondent(s) : 1 - 2.

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CORAM : HONOURABLE MR. JUSTICE B.J.SHETHNA

Date : 07/04/2006

ORAL JUDGMENT

This is a matter of 1997, which is listed for the 15th time. When the matter was called out no one was present for the petitioner. From the Order sheet of the petition it appears that on 26.8.1997 learned Single Judge of this Court issued Rule and, by way of interim order, directed the respondents to consider the representation dated 7.8.1997 of the petitioner in

accordance with law and communicate the decision within eight weeks from the date of the order. Thereafter the matter was placed on 11.5.2005 before Ravi R. Tripathi,J., where Shri Dhaval Vyas for M/s. Vyas Associates for the petitioner stated at the Bar that the petitioner had taken away the papers from them, therefore, they want to file note for withdrawal of their appearance. Accordingly, the matter was listed after summer vacation. It appears that no such note was filed and when the matter was placed on 15.2.2006 before S.R.Brahmbhatt, J. Once again Shri Vyas prayed for adjournment on the ground of filing Note of withdrawal of his appearance as his client had taken away the papers from him and the matter was adjourned. It appears from the record of this case that no such note for withdrawal is filed so far by the learned Counsel for the petitioner. Be that as it may.

It appears that in pursuance of the interim direction issued by the learned Single Judge of this Court on 26.8.1997 the representation of the petitioner seems to have decided and communicated within eight weeks from the date of the order passed by the learned Single Judge on 26.8.1997. Therefore, the petitioner might have taken away the papers from his Advocate as it seems that

he has no more interest in the matter.

In view of the above, in absence of learned Counsel for the petitioner, the petition is dismissed. Rule discharged. Interim relief, granted earlier, stands vacated. No order as to costs.

(B.J.SHETHNA,J.)

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